

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

KURT KARNER, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

MGT CAPITAL INVESTMENTS, INC., and
ROBERT B. LADD,

Defendants.

Case No. 1:16-cv-07423-GHW

**NOTICE OF MOTION AND MOTION OF KURT KARNER AND MARK WATERS FOR
APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF LEAD COUNSEL**

TO THE CLERK OF THE COURT, ALL PARTIES, AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Kurt Karner and Mark Waters (“Movants”) respectfully moves this Court for an order (1) appointing Movants as Lead Plaintiff pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (“Exchange Act”), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”); and (2) approving Movants’ selection of Glancy Prongay & Murray LLP as Lead Counsel for the Class.

Movants seek appointment as lead plaintiff and approval of their choice of counsel pursuant to the Exchange Act, the Federal Rules of Civil Procedure and the PSLRA. This motion is based on this notice, the attached memorandum of law, the declaration of Lesley F. Portnoy and the Court’s complete files and records in this action, as well as such further argument as the Court may allow at a hearing on this motion.

Respectfully submitted,

DATED: November 21, 2016

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*[Proposed] Lead Counsel for Movants
and the Class*

**PROOF OF SERVICE BY ELECTRONIC POSTING PURSUANT TO SOUTHERN
DISTRICT OF NEW YORK ECF AND LOCAL RULES AND BY MAIL
ON ALL KNOWN NON-REGISTERED PARTIES**

I, the undersigned say:

I am not a party to the above case and am over eighteen years old.

On November 21, 2016, I served true and correct copies of **NOTICE OF MOTION AND
MOTION OF KURT KARNER AND MARK WATERS FOR APPOINTMENT AS LEAD
PLAINTIFF AND APPROVAL OF LEAD COUNSEL**, by posting the document electronically to
the ECF website of the United States District Court for the Southern District of New York, for
receipt electronically by the parties listed on the Court's Service List.

I affirm under penalty of perjury under the laws of the United States of America that the
foregoing is true and correct. Executed on November 21, 2016 at Los Angeles, California.

s/ Lesley F. Portnoy
Lesley F. Portnoy

Mailing Information for a Case 1:16-cv-07423-GHW Karner, et al v. MGT Capital Investments, Inc., et al

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Lesley Frank Portnoy**
LPortnoy@glancylaw.com,info@glancylaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)